

**FAX TRANSMISSION***Legal Innovators***DATE:** January 5, 2004**CLIENT NO.:** H2041.0047 (09/540,289)**MESSAGE TO:** Khanh C. Tran**COMPANY:** U.S. Patent and Trademark Office**FAX NUMBER:** 703-746-7350**PHONE:** 703-305-2384**FROM:** Joseph Ragusa**PHONE:** (212) 896-5452**PAGES (Including Cover Sheet):** 9 **HARD COPY TO FOLLOW:** YES  NO

SENT BY:		DATE/TIME:	
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**MESSAGE:**

Dear Examiner Tran,

I attach a copy of the Request for Reconsideration that was filed on December 8, 2003, together with a copy of the stamped postcard from the USPTO.

Please let me know once you have received the file (212-896-5452)

Joe Ragusa

If your receipt of this transmission is in error, please notify this firm immediately by collect call to our Facsimile Department at 212-835-1454, and send the original transmission to us by return mail at the address below.

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JAN 05 2004 10:50 AM FR DSMO

TO 2245#082041#0047 P.02

Inventor: Mitsuhiro Agehara

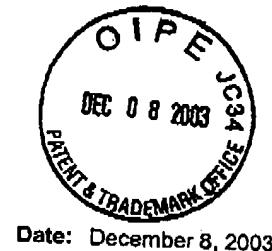
Atty Docket No.: H2041.0047/P0047

Application No.: 09/540,289  
Title: MULTI-RATE TRANSMISSION APPARATUS

Filing Date: March 31, 2000

Documents Filed:  
Request for Reconsideration

Via: Daily PTO Run  
Sender's Initials: JWR/rr



Date: December 8, 2003

NY 88840 v1; 1WJS011.DOC

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1/9/04  
P.S.

Docket No.: H2041.0047  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Mitsuhiro Agehari

Application No.: 09/540,289

Group Art Unit: 2631

Filed: March 31, 2000

Examiner: Khanh C. Tran

For: MULTI-RATE TRANSMISSION  
APPARATUS

REQUEST FOR RECONSIDERATION

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Non-Fee Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Dear Sir:

This is a response to the Office Action mailed September 10, 2003 in the above-identified application. Reconsideration of the application is respectfully requested.

Application No.: 09/540,289

Docket No.: H2041.0047

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

 If checked, "Small Entity" status is claimed.

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	Additional Fee
Total	4	- 20* =		x \$18	\$00
Independent	1	- 3** =		x \$84	\$00
First presentation of Multiple Dependent Claim(s) (if applicable)					
					<b>TOTAL</b> \$00

\*not less than 20      \*\* not less than 3

No fee is believed due.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.